
**TIGARD CITY COUNCIL
MEETING**

JULY 13, 2004 6:30 p.m.

**TIGARD CITY HALL
13125 SW HALL BLVD
TIGARD, OR 97223**



PUBLIC NOTICE:

Anyone wishing to speak on an agenda item should sign on the appropriate sign-up sheet(s). If no sheet is available, ask to be recognized by the Mayor at the beginning of that agenda item. Visitor's Agenda items are asked to be two minutes or less. Longer matters can be set for a future Agenda by contacting either the Mayor or the City Manager.

Times noted are estimated; it is recommended that persons interested in testifying be present by 7:15 p.m. to sign in on the testimony sign-in sheet. Business agenda items can be heard in any order after 7:30 p.m.

Assistive Listening Devices are available for persons with impaired hearing and should be scheduled for Council meetings by noon on the Monday prior to the Council meeting. Please call 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

Upon request, the City will also endeavor to arrange for the following services:

- Qualified sign language interpreters for persons with speech or hearing impairments; and
- Qualified bilingual interpreters.

Since these services must be scheduled with outside service providers, it is important to allow as much lead time as possible. Please notify the City of your need by 5:00 p.m. on the Thursday preceding the meeting by calling: 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

SEE ATTACHED AGENDA

A G E N D A
TIGARD CITY COUNCIL MEETING
JULY 13, 2004

6:30 PM

- **STUDY SESSION**

- > **REVIEW COUNCIL GROUNDRULES**

- **EXECUTIVE SESSION:** The Tigard City Council will go into Executive Session to discuss employment-related items and exempt public records under ORS 192.660(2)(i) and 192.660(2)(f). All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(4), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.

7:30 PM

- 1. **BUSINESS MEETING**

- 1.1 Call to Order - City Council & Local Contract Review Board
 - 1.2 Roll Call
 - 1.3 Pledge of Allegiance
 - 1.4 Council Communications & Liaison Reports
 - 1.5 Call to Council and Staff for Non-Agenda Items

- 2. **VISITOR'S AGENDA (Two Minutes or Less, Please)**

- Representative from the Tigard Area Chamber of Commerce

- 3. **CONSENT AGENDA:** These items are considered to be routine and may be enacted in one motion without separate discussion. Anyone may request that an item be removed by motion for discussion and separate action. Motion to:

- 3.1 Approve Council Minutes for June 8 and 15, 2004
 - 3.2 Receive and File
 - a. Council Calendar
 - b. Tentative Agenda

- 3.3 Approve Budget Amendment #1 to Increase Appropriations for Funding of the SEIU Labor Agreement and Management Cost-of-Living – Resolution No. 04 - _____
- 3.4 Initiate Action to Transfer Jurisdiction of Certain County Roads Within the City to the City – Resolution No. 04 - _____
- 3.5 Local Contract Review Board:
 - a. Award Contract for Moving Services to Lile Relocation Services
 - b. Award Contract for the Construction of 100th Avenue and Murdock Street Sanitary Sewer (Sewer Reimbursement District No. 27) to Dunn Construction, Inc.
 - c. Award Contract for City Labor Attorney Services to Bullard, Smith, Jernstedt, Wilson and Authorize City Manager to execute
- *Consent Agenda - Items Removed for Separate Discussion: Any items requested to be removed from the Consent Agenda for separate discussion will be considered immediately after the Council has voted on those items which do not need discussion.*
- 4. TUALATIN VALLEY TELEVISION
 - a. Report by Marci Hosier, Executive Director
- 5. UPDATE ON THE NEW TIGARD LIBRARY
 - a. Staff Report: Library Staff
 - b. Council Discussion
- 6. CONSIDER AN ORDINANCE GRANTING A NON-EXCLUSIVE GAS UTILITY FRANCHISE TO NORTHWEST NATURAL
 - a. Staff Report: Finance Staff
 - b. Council Discussion
 - c. Council Consideration: Ordinance No. 04 - _____
- 7. CONSIDER A RESOLUTION RECONSTITUTING THE TRANSPORTATION FINANCING STRATEGIES TASK FORCE
 - a. Staff Report: Engineering Staff
 - b. Council Discussion
 - c. Council Consideration: Resolution No. 04 - _____

8. CONSIDER A RESOLUTION COMMENDING THE TRANSPORTATION FINANCING STRATEGIES TASK FORCE FOR A JOB WELL DONE
 - a. Staff Report: Engineering Staff
 - b. Council Discussion
 - c. Council Consideration: Resolution No. 04 - _____
9. RECEIVE INFORMATION ON SECOND ANNUAL NATIONAL NIGHT OUT
 - a. Staff Report: Police Staff
 - b. Council Discussion
10. PUBLIC HEARING (QUASI-JUDICIAL) – PUBLIC RIGHT-OF-WAY STREET VACATION FOR SW 72ND AVENUE (VAC 2004-00001)

The Tigard City Council will hold a public hearing to consider the proposed vacation involving an approximately 4,387 square foot portion of SW 72nd Avenue, near the intersection of SW 72nd Avenue and Bridgeport Road.

The portions of SW 72nd Avenue that have been requested to be vacated are to the southwest of the Borders/Bed Bath and Beyond commercial center. The reason for the vacation request is for the realignment of SW 72nd Avenue in connection with the relocation of the Bridgeport Village restaurant and the Durham Quarry commercial center. The applicant's client, Opus Northwest has been approved for Site Development Review for a new access into the Borders/Bed Bath and Beyond commercial center (SDR2003-00017) in conjunction with the relocation of the Bridgeport Village restaurant. The approval has been conditioned upon the successful completion of the requested vacation.

The majority of the land underlying the former right-of-way is within the jurisdiction of the City of Tualatin. However, the three small segments (0.1 acres total) are subject to Tigard's jurisdiction. With the successful vacation of the requested right-of-way, the subject square footage would be incorporated into adjoining parcels within the City of Tigard.

The request was filed with the City on March 17, 2004 and initiated by the City Council at the request of the applicant on May 11, 2004. Any interested person may appear and be heard for or against the proposed vacation of said 72nd Avenue Public Right-of-Way Street Vacation. Any written objections or remonstrances shall be filed with the City Recorder by 7:30 PM on July 13, 2004.

- a. Open Public Hearing _____

- b. Declarations or Challenges
 - Do any members of Council wish to report any ex parte contact or information gained outside the hearing, including any site visits?
 - Have all members familiarized themselves with the application?
 - Are there any challenges from the audience pertaining to the Council's jurisdiction to hear this matter or is there a challenge on the participation of any member of the Council?
 - c. Staff Report: Community Development Department
 - d. Public Testimony
 - For all those wishing to testify, please be aware that failure to raise an issue accompanied by statements or evidence sufficient to afford the Council and parties an opportunity to respond to the issue will preclude an appeal to the Land Use Board of Appeals on this issue. Testimony and evidence must be directed toward the criteria described by staff or other criteria in the plan or land use regulation which you believe apply to the decision.
 - Proponents
 - Opponents
 - Rebuttal
 - e. Staff Recommendation
 - f. Council Questions
 - g. Close Public Hearing
 - h. Council Consideration: Ordinance No. 04 - _____
11. PUBLIC HEARING (INFORMATIONAL) – CONSIDER RESOLUTION FORMING SANITARY SEWER REIMBURSEMENT DISTRICT NO. 30 (SW 121st Avenue)
- a. Open Public Hearing
 - b. Summation by Engineering Staff
 - c. Public Testimony
 - d. Staff Recommendation
 - e. Council Discussion
 - f. Close Public Hearing
 - g. Council Consideration: Resolution No. 04 - _____

12. COUNCIL LIAISON REPORTS
13. NON AGENDA ITEMS
14. ADJOURNMENT